

FILED  
JAN 30 2012  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR 12-00050 PJH (DMR)
Plaintiff,	)	
v.	)	DETENTION ORDER
	)	
JOVONNIE ANTONIO TERRELL	)	
MOORE,	)	
Defendant.	)	

I. DETENTION ORDER

Defendant Jovonnie Moore is charged in a five-count indictment with violations of 18 U.S.C. § 371 (conspiracy to commit bank robbery) and 18 U.S.C. § 2113(a) and 2 (bank robbery and aiding and abetting). On January 30, 2012, the United States moved for Mr. Moore's detention and asked for a detention hearing, as permitted by 18 U.S.C. § 3142(f).

Defendant waived the timing of his right to proffer information in support of his pretrial release, *see* 18 U.S.C. § 3142(f) (a defendant has the right at a section 3142(f) hearing, with the assistance of counsel, to testify, to present witnesses, to cross-examine adverse witnesses, and to present information by proffer or otherwise), and retained his right to make a proffer at a later

DETENTION ORDER  
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cc: Copy to parties via ECF, Nichole, 2 Certified copies to U.S. Marshal,  
Pretrial Services

1 proceeding. The court notes that Defendant currently is in state custody for a parole violation.

2 Based on the information currently available, the court finds clear and convincing  
3 evidence that Mr. Moore presents a danger to the community, and that no condition or  
4 combination of conditions in 18 U.S.C. § 3142(c) will reasonably assure the safety of any other  
5 person or the community. 18 U.S.C. § 3142(e) and (f); *United States v. Motamedi*, 767 F.2d  
6 1403, 1406 (9th Cir. 1985).


7  
8 II. CONCLUSION

9 The Court detains Mr. Moore at this time. Because Defendant waived the timing of his  
10 right to present information under 18 U.S.C. § 3142(f) without prejudice, the Court orders that  
11 the hearing may be rescheduled at Defendant's request.

12 Defendant shall remain committed to the custody of the Attorney General for  
13 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or  
14 serving sentences or being held in custody pending appeal. Defendant shall be afforded  
15 reasonable opportunity for private consultation with counsel. On order of a court of the United  
16 States or on request of an attorney for the Government, the person in charge of the corrections  
17 facility in which Defendant is confined shall deliver Defendant to a United States marshal for the  
18 purpose of an appearance in connection with a court proceeding.

19 IT IS SO ORDERED.

20  
21  
22 DATED: January 30, 2012

23   
DONNA M. RYU  
United States Magistrate Judge